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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/579,680

05/17/2006

Koji Fujimoto

24530-015

9616

32137 7590 03/31/2009

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COWAN, LIEBOWITZ & LATMAN, P.C.
1133 AVENUE OF THE AMERICAS
NEW YORK, NY 10036

EXAMINER

AYCHILLHUM, ANDARGIE M

ART UNIT

PAPER NUMBER

2841

MAIL DATE

DELIVERY MODE

03/31/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/579,680	Applicant(s) FUJIMOTO, KOJI	
	Examiner ANDARGIE M. AYCHILLHUM	Art Unit 2841	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>08/15/2006</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 18-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Kim (US 2004/0090759 A1).

Regarding to claim 18, Kim discloses a surface mount composite electronic component (see fig. 4), comprising a circuit element (270, see fig. 4) formed on a pair of opposed surfaces of an insulating substrate (under 270, see fig. 4) composed of a hexahedron (see fig. 4), comprising electrodes (245) formed on the pair of opposed surfaces of the insulating substrate (see fig. 4) that make up the circuit element (270) which also function as external terminals (see fig. 4) formed on the pair of opposed surfaces of the insulating substrate (under 270).

Regarding to claims 19 and 27, Kim further discloses the circuit element (270) is composed of electrodes as well as resistors or dielectrics (see paragraph [0030]) that

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contact said electrodes, a nickel plate layer and a solder plate layer (see paragraph [0028]) laid down, in that order, on the surfaces of external terminal areas of said electrodes (245).

Regarding to claims 20 and 28, Kim further discloses one surface of the insulating substrate under 270, see fig. 4) is substantially perpendicular to an adjacent surface (see fig. 4).

Regarding to claims 21 and 29, Kim further discloses having an area in which no electrodes are present on an edge portion (each side corner of the substrate which is under 270) of the surface of the insulating substrate (see fig. 4) on which said external terminals (245) are present, disposed perpendicular to a straight line connecting a pair of external terminals electrically connected (see paragraph [0026]) to one circuit element (see fig. 4)

Regarding to claims 22 and 30, Kim further discloses having an area in which the electrodes and the resistor overlap and contact each (see fig. [0030]) other on the surface of the insulating substrate (under 270, see fig. 4), the resistor disposed on the insulating substrate in said area, and further, the electrodes laid on the resistor (see paragraph [0030]).

Regarding to claims 23 and 31, Kim further discloses a relation between an insulating substrate dimension (L) (see fig. 4) in a direction of flow of electric current(see paragraph [0030]) of the circuit element (see paragraph [0030]) of the insulating substrate (under 270) surface on which circuit elements are formed, an insulating substrate dimension (T) perpendicular to L, and a distance (W) between surfaces of the insulating substrate on which the circuit elements are formed is $L \geq W > T$ (see fig. 4).

Regarding to claims 24 and 32, Kim further discloses the electrodes (245) that also function as external terminals (see fig. 4) are also present on a surface of the insulating substrate adjacent to the surface of the insulating substrate (under 270, see fig. 4) on which the circuit elements (270) are present.

Regarding to claim 25, Kim discloses a pair of first electrodes (245) disposed on both ends of a front surface of an insulating substrate (under 270) composed of a hexahedron (see fig. 4) and a first shared electrode (the other side of 245) disposed on the front surface of the insulating substrate (see fig. 4) between and separate from said first electrodes; a pair of second electrodes (the other side of 245) disposed on a rear surface of the insulating substrate (see fig. 4) opposite the first electrodes (245) and a second shared electrode disposed on the rear surface (see the other side the substrate) of the insulating substrate between and separate from said second electrodes (the other sides of 245); two first resistors (see paragraph [0030]) disposed on the front surface of the insulating substrate (see fig. 4) so as to contact the first pair of electrodes(both sides

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of 245) and the first shared electrode; and two second resistors disposed on the rear surface of the insulating substrate so as to contact the second pair of electrodes and the second shared electrode (see fig. 4).

Regarding to claim 26, Kim discloses the number of external terminals is six (245 in all sides) see fig. 4.

Response to Arguments

4. Applicant's arguments with respect to claims 18-32 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANDARGIE M. AYCHILLHUM whose telephone number is (571)270-1607. The examiner can normally be reached on (Mon-Fri from 8:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-1984. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dean A. Reichard/
Supervisory Patent Examiner, Art
Unit 2841

A.A.
March 24, 2009

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